

present location of a vehicle, the method comprising the steps of:

initiating a paging request for transmission to a paging request responder mounted in or on the vehicle; and

in response to the paging request, activating a communications device separate from, and for operation independent of, the paging request responder and mounted in or on the vehicle [a fix of vehicle] to transmit a fix of vehicle location.

REMARKS

Claims 1-49 are presented.

Applicant is aware of the continuing obligation under 37 C.F.R. 1.56 to timely apprise the Patent Office of any litigation information, or other prior or concurrent proceeding involving patent No. 5,418,537, of which this is an application for reissue, which is material to patentability of the claims under consideration in this reissue application.

In section 2 of the Office Action, the reissue declaration is held to be defective because it fails to contain a statement that all errors which are being corrected in the reissue application up to the time of filing of the declaration arose without any deceptive intention on the part of the applicant. In section 3 of the same Office Action, claims 1-49

are rejected under 35 U.S.C. §251 as being based upon a defective reissue declaration.

The objection to the reissue declaration and rejection of claims based thereon are respectfully traversed. The statement required by the Examiner is found at lines 15-18 of page 9 of the proposed reissue declaration submitted December 2, 1998.

In any case, we are submitting herewith a revised proposed declaration conforming to amended claim 32 (see the remarks below) and stating that "all errors which are being corrected in the reissue application up to the time of filing of the oath or declaration under this paragraph arose without any deceptive intention on the part of the applicant." If the Examiner now approves the declaration, we will attend to its execution.

In section 5 of the Office Action, claim 32 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.


The rejection is respectfully traversed. The rejected claim has been amended to correct a typographical error. The claim now correctly states the subject matter which applicant

regards as the invention.

There being no other objections or rejections, the application is now in condition for allowance. Favorable reconsideration is respectfully requested.

Respectfully submitted,

COOPER & DUNHAM LLP

A handwritten signature in cursive script, reading "Donald S. Dowden", is written over a horizontal line.

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